

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA, :

Plaintiff,

v. :

PIERRE O. COLQUITT,

Defendant. :

Case No. 3:09-cr-109

JUDGE WALTER H. RICE

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #195);  
OVERRULING DEFENDANT'S OBJECTIONS THERETO (DOC. #197);  
OVERRULING DEFENDANT'S "MOTION" (DOC. #194); DENYING  
CERTIFICATE OF APPEALABILITY AND LEAVE TO APPEAL *IN*  
*FORMA PAUPERIS*; CASE TO REMAIN TERMINATED ON DOCKET

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Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz in his Report and Recommendations, Doc. #195, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety and OVERRULES Defendant's "Motion," Doc. #194. Defendant's Objections to the Report and Recommendations, Doc. #197, are OVERRULED as frivolous.

Given that Defendant has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's

decision would be objectively frivolous, Defendant is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

The captioned case shall remain terminated on the Court's docket.

Date: February 6, 2019

A handwritten signature in black ink, appearing to read 'W. H. Rice', is written over a horizontal line.

WALTER H. RICE  
UNITED STATES DISTRICT JUDGE